

**PART 1212—HONEY PACKERS AND IMPORTERS RESEARCH, PROMOTION, CONSUMER EDUCATION AND INDUSTRY INFORMATION ORDER**

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AUTHORITY: 7 U.S.C. 7411–7425; 7 U.S.C. 7401.

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**Subpart A—Honey Packers and Importers Research, Promotion, Consumer Education, and Industry Information Order**

SOURCE: 73 FR 29397, May 21, 2008, unless otherwise noted.

**DEFINITIONS**

**§ 1212.1 Act.**

“Act” means the Commodity Promotion, Research, and Information Act of 1996, (7 U.S.C. 7411–7425), and any amendments to that Act.

**§ 1212.2 Board.**

“Board” or “Honey Packers and Importers Board” means the administrative body established pursuant to

## **Agricultural Marketing Service, USDA**

## **§ 1212.13**

§ 1212.40, or such other name as recommended by the Board and approved by the Department.

### **§ 1212.3 Conflict of interest.**

“Conflict of interest” means a situation in which a member or employee of the Board has a direct or indirect financial interest in a person who performs a service for, or enters into a contract with, the Board for anything of economic value.

### **§ 1212.4 Department.**

“Department” means the United States Department of Agriculture, or any officer or employee of the Department to whom authority has heretofore been delegated, or to whom authority may hereafter be delegated, to act in the Secretary’s stead.

### **§ 1212.5 Exporter.**

“Exporter” means any person who exports honey or honey products from the United States.

### **§ 1212.6 First handler.**

“First handler” means the first person who buys or takes possession of honey or honey products from a producer for marketing. If a producer markets honey or honey products directly to consumers, that producer shall be considered to be the first handler with respect to the honey produced by the producer.

### **§ 1212.7 Fiscal period.**

“Fiscal period” means a calendar year from January 1 through December 31, or such other period as recommended by the Board and approved by the Secretary.

### **§ 1212.8 Handle.**

“Handle” means to process, package, sell, transport, purchase or in any other way place honey or honey products, or causes them to be placed, in commerce. This term includes selling unprocessed honey that will be consumed without further processing or packaging. This term does not include the transportation of unprocessed honey by the producer to a handler or transportation by a commercial carrier of honey, whether processed or unproc-

essed for the account of the first handler or producer.

### **§ 1212.9 Honey.**

“Honey” means the nectar and saccharine exudations of plants that are gathered, modified, and stored in the comb by honeybees, including comb honey.

### **§ 1212.10 Honey products.**

“Honey products” mean products where honey is a principal ingredient. For purposes of this subpart, a product shall be considered to have honey as a principal ingredient if the product contains at least 50% honey by weight.

### **§ 1212.11 Importer.**

“Importer” means any person who imports for sale honey or honey products into the United States as a principal or as an agent, broker, or consignee of any person who produces honey or honey products outside the United States for sale in the United States, and who is listed in the import records as the importer of record for such honey or honey products.

### **§ 1212.12 Importer-Handler Representative.**

“Importer-Handler Representative” means any person who is an importer and first handler, who must import at least 75 percent of the honey they market in the United States and must handle at least 250,000 pounds annually.

### **§ 1212.13 Information.**

“Information” means activities or programs designed to develop new and existing markets, new and existing marketing strategies and increased efficiency and activities to enhance the image of honey and honey products. These include:

(a) Consumer education, which means any action taken to provide information to, and broaden the understanding of, the general public regarding the consumption, use, nutritional attributes, and care of honey and honey products; and

(b) Industry information, which means information and programs that will lead to the development of new markets, new marketing strategies, or